

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-14 EA-12 EUR-12 NEA-10

CAB-05 CIAE-00 COME-00 DODE-00 DOTE-00 EB-08

INR-07 NSAE-00 FAA-00 MCT-01 SY-05 DHA-05 PM-05

H-02 L-03 NSC-05 PA-02 PRS-01 SP-02 SS-15

USIA-15 /154 W

-----032782 040658Z /12

R 040157Z NOV 77

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 6985

INFO AMEMBASSY BELGRADE

AMEMBASSY JIDDA

AMEMBASSY MONTREAL

AMEMBASSY MOSCOW

UNCLAS SECTION 1 OF 2 USUN 4338

E.O. 11652: N/A

TAGS: EAIR, ETRN, PINS, UNGA

SUBJECT: RESOLUTION ON SAFETY OF INTERNATIONAL CIVIL AVI-
ATION : UN SPECIAL POLITICAL COMMITTEE MEMBERS EXPLAIN VOTES

REF: USUN 4250

1. SUMMARY. ON NOVEMBER 2, THIRTY-NINE MEMBERS OF THE UN SPECIAL POLITICAL COMMITTEE (SPC) GAVE EXPLANATIONS OF THEIR AGREEMENT TO A CONSENSUS ADOPTION OF A DRAFT RESOLUTION ON THE SAFETY OF INTERNATIONAL CIVIL AVIATION. WHILE ALL SPEAKERS CONDEMNED AERIAL HIJACKINGS, SEVERAL-NOTABLY SOVIET BLOC AND SOME THIRD WORLD SPEAKERS--AFFIRMED THE RIGHT OF THE "LEGITIMATE NATIONAL LIBERATION ORGANIZATIONS TO FIGHT FOR FREEDOM AND INDEPENDENCE" AND STRESSED THE IMPORTANCE OF "SOVEREIGNTY AND TERRITORIAL INTEGRITY." THE SOVIET UNION AND THE EAST EUROPEAN SPEAKERS CALLED FOR EXTRADITION OF HIJACKERS AND DECRIED WHAT THEY CALLED A "DOUBLE STANDARD" ON HIJACKINGS. THE SOVIET UNION SPECIFICALLY CHIDED THE U.S. ON THE

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BRAZINSKAS AFFAIR. THE U.S. REJECTED THE SOVIET CHARGES. ISRAEL AND SEVERAL ARAB STATES ENGAGED IN MUTUAL RECRIMINATIONS ON EACH OTHER'S ALLEGED TERRORIST ACTS. END SUMMARY.

2. ON NOVEMBER 2 THIRTY-NINE MEMBERS OF THE UN SPC

EXPLAINED THEIR AGREEMENT TO A CONSENSUS ADOPTION OF A DRAFT RESOLUTION ON THE SAFETY OF INTERNATIONAL CIVIL AVIATION. THE EXPLANATIONS DIVIDED ON PREDICTABLE LINES: MOST WESTERN AND LATIN AMERICAN SPEAKERS CONDEMNED AERIAL HIJACKINGS NO MATTER WHAT THE MOTIVES AND VOICED THE "EXTRADITE OR PROSECUTE" FORMULA. THE SOVIET BLOC AND MANY AFRICAN, ASIAN AND ARAB SPEAKERS IN ADDITION TO CONDEMNING HIJACKING EMPHASIZED THE RIGHT OF "LEGITIMATE NATIONAL LIBERATION ORGANIZATIONS" TO CARRY ON THE STRUGGLES FOR FREEDOM AND INDEPENDENCE, THE IMPORTANCE OF "SOVEREIGNTY AND TERRITORIAL INTEGRITY" (IN REFERENCE TO THE ENTEBBE AFFAIR OF 1975), AND THE NEED TO CONSIDER AND ELIMINATE THE "UNDERLYING CAUSES" OF AERIAL HIJACKINGS AND SIMILAR ACTS.

3. SOVIET REP FOKINE WARNED AGAINST CONFUSING TERRORISM WITH THE USE OF FORCE IN NATIONAL LIBERATION STRUGGLES, AND HE ALSO MADE A STANDARD REFERENCE TO THE IMPORTANCE OF ELIMINATING THE CAUSES GIVING RAISE TO AERIAL HIJACKINGS. FOKINE REITERATED THE SOVIET UNION'S POSITION THAT HIJACKERS SHOULD BE EXTRADITED TO THEIR COUNTRY OF ORIGIN, AND HE CRITICIZED THOSE STATES ("AMONG THEM CERTAIN CO-SPONSORS") WHICH HARBOR PERPETRATORS OF AERIAL HIJACKINGS. FOKINE MENTIONED SPECIFICALLY THE U.S. AND ACCUSED THE U.S. OF HARBORING BRAZINSKAS. FOKINE SAID THAT ALL NATIONS MUST APPROACH AERIAL HIJACKINGS NOT ON A SELECTIVE BASIS

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BUT WITH A SINGLE STANDARD. THE SOVIET STATEMENT WAS ECHOED (THOUGH WITHOUT THE SPECIFIC REFERENCE TO THE U.S. AND BRAZINSKAS) BY POLAND, BULGARIA, AND CZECHOSLOVAKIA.

4. ISRAELI REP NAJAR NOTED THAT AIR PIRATES OFTEN FIND PROTECTION IN ARAB LEAGUE STATES, AND DECRIED THE PRESENCE OF PLO OBSERVERS ("REPRESENTATIVES OF THE TERRORIST CLIQUE OF THE PLO") IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO). NAJAR NOTED THAT ISRAEL INTERPRETS THE REFERENCE TO "ACTS OF STATES" IN THE ADOPTED RESOLUTION TO REFER TO ACTS BY STATES TO ENCOURAGE ACTS INTERFERING WITH INTERNATIONAL CIVIL AVIATION. NAJAR CALLED FOR THE CONVENING OF AN EXTRAORDINARY ASSEMBLY OF ICAO TO CONSIDER MEASURES TO IMPROVE THE SECURITY OF INTERNATIONAL AIR TRAVEL.

5. THE ARAB STATES (SYRIA, JORDAN, LIBYA AND ALSO ALGERIA, LEBANON AND THE PLO IN RIGHTS OF REPLY) ACCUSED ISRAEL OF ACTS OF AIR PIRACY, SUCH AS THE ISRAELI DOWNING OF A LIBYAN CIVILIAN PLANE IN FEBRUARY 1973 WITH THE LOSS OF 108 LIVES, THE FORCED LANDING OF AN IRAQI AIRWAYS PLANE IN 1973, AND THE DESTRUCTION OF 13 CIVILIAN AIRCRAFT AT BEIRUT AIRPORT IN 1968. ISRAELI REP NAJAR EXERCISED A

RIGHT OF REPLY TO THE ARAB CHARGES, AND HIS STATEMENT
EVOKED FURTHER RIGHTS OF REPLY FROM THE ARABS. THE PLO
ACCUSED THE ISRAELIS OF "HOLDING AS HOSTAGE THE ENTIRE
PELESTINIAN PEOPLE."

6. OTHER SPEAKERS INCLUDED CHINA, WHICH IN NOTING ITS
OPPOSITION TO "ADVERTURIST" AIR HIJACKINGS DECLARED THAT
IT HAD NO OBLIGATIONS UNDER THE TOKYO, HAGUE AND MONTREAL
CONVENTIONS SIGNED BY THE REGIME OF CHIANG-KAI-SHEK AND
WEST GERMANY, WHICH STRESSED THE IMPORTANCE OF THE HOSTAGE
ISSUE IN AERIAL HIJACKINGS.

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7. KENNEDY OF THE U.S. DELIVERED A STATEMENT WHICH,
INTER ALIA, REBUTTED THE SOVIET CHARGES ON THE U.S. HANDLING
OF THE BRAZINSKAS CASE. KENNEDY NOTED THAT "PROCEEDINGS
ARE UNDERWAY TO DEPORT HIM (BRAZINSKAS) IN ACCORDANCE WITH
UNITED STATES LAW." FOLLOWING IS THE FULL TEXT OF KENNEDY'S
STATEMENT:

MR. CHAIRMAN,

MY DELEGATION JOINED IN THE CONSENSUS ON THE
CHAIRMAN'S RESOLUTION ON THIS SUBJECT AND RAISED NO OBJECTION
TO THE ADDITIONS TO THE CHAIRMAN'S TEXT BECAUSE WE BELIEVE
IT URGENT THAT THE INTERNATIONAL COMMUNITY EXPRESS ITSELF IN
CLEAR TERMS ON THE UNACCEPTABILITY OF VIOLENT INTERFERENCE

WITH CIVIL AVIATION. WE WHOLEHEARTEDLY SUPPORT THE RESOLUTION'S CONDEMNATION OF VIOLENT INTERFERENCE. THE FACT THAT THE SCOPE OF THE CONDEMNATION COVERS ALL WHO MIGHT PERPETRATE SUCH ACTS IS A CLEAR EXPRESSION OF THE OUTRAGE OF THE INTERNATIONAL COMMUNITY AT ANY SUCH ACTS.

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WE FURTHERMORE BELIEVE THE REQUEST TO ICAO AND TO STATES TO TAKE MEASURES TO PREVENT THE OCCURANCE OF SUCH ACTS WILL ASSIT IN AVOIDING THE OCCURANCE OF THESE DSIESPOCABLE INCIDENTS.

WE BELIEVE IT IS IN THE INTEREST OF THE ENTIRE WORLD COMMUNITY TO TAKE EFFECTIVE COLLECTIVE ACTION AGAINST HIJACKING AND OTHER UNLAWFUL ACTS WHICH INTERFERE WITH CIVIL AVIATION. WE ARE CONSEQUENTLY GRATIFIED THAT THE RESOLUTION HS BEEN ADOPTED BY CONSENSUS. OF COURSE, THE ACTIONS OF MEMBERS OF THIS ORGANIZATION IN IMPLEMENTING THE RESOLUTION WILL BE MORE IMPORTANT THAN THE WORDS WE HAVE ALL APPROVED. STATES SHOULD TAKE JOINT AND SEPARATE ACTION INCLUDING RATIFYING THE EXISTING TOKYO, HAGUE AND MONTREAL CONVENTIONS AND WORK WITH ICAO TO DEVELOP BETTERN SECURITY PROCEDURES AND STANDARDS.

WE WOULD ALSO WISH TO THANK MR. KOTAITE OF ICAO AND CAPT. PEARCE OF IFALPA FOR THEIR LUCID AND PERSUASIVE STATEMENTS WHICH SO ACCURATELY DESCRIBED THE NATURE AND MAGNITUDE OF THE PROBLEM.

IN SUM, THE UNITED STATES BELIEVES THAT ALL MEMBERS OF THE WORLD COMMUNITY MUST ACT, INDIVIDUALLY AND COLLECTIVELY, TO COMBAT THE THREAT OF HIJACKING AND OTHER ILLEGAL ACTS INVOLVING CIVIL AVIATION.

FINALLY, MR. CHAIRMAN, ONE DELEGATION SAW FIT TO RAISE A QUESTION WITH REGARD TO A CERTAIN INDIVIDUAL PRESENTLY IN THE UNITED STATES. THAT INDIVIDUAL IS NOT BEING SHELTERED. AFTER IT WAS FOUND HE WAS INELIGIBLE FOR A UNITED STATES VISA BECAUSE OF THE ACT HE HAD COMMITTED, HE ENTERED THE UNITED STATES ILLEGALLY UNDER

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FALSE PAPERS, PROCEEDINGS ARE UNDERWAY TO DEPORT HIM IN ACCORDANCE WITH UNITED STATES LAW. WE BELIEVE THAT NO CAUSE JUSTIFIES THE HIJACKING OF PLANES. MUCH AS WE SYMPATHIZE WITH THOSE WHO FLEE REPRESSSION TO SEEK FREEDOM,

WE DO NOT CONDONE HIJACKING OR TERRORIST ACTS AS A MEANS
TO THIS END. WE ARE COMMITTED TO THE EXTRADITE OR PROSECUTE
SYSTEM CONTAINED IN THE HAGUE, MONTEAL AND PROTECTION OF
DIPLOMATS CONVENTIONS.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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TAGS: EAIR, ETRN, PINS, XX, UNGA
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